**MEMORANDUM**

TO: HONORABLE VICTOR MARRERO  
United States District Judge

FROM: Joshua A. Rothman  
U.S. Pretrial Services Officer

RE: **Figallo, Christian**  
DOCKET#: **18 CR 684**

The attached memorandum prepared by Pretrial Services Officer:

**Joshua A. Rothman**

**212-805-4339**

Name

Phone Number

will present to Your Honor significant details about the Bail Conditions which were imposed on the above-name defendant.

We are requesting direction from the Court. Please initial the appropriate box(es) and return this form to us so that we may comply with your instructions.

☐ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by the Court at this time.

☐ My chambers will inform all parties concerned that I will conduct a Bail Review Hearing in

Courtroom # \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
Date Time

☒ I request that a Bail Review Hearing be conducted by:

☒ The presiding Magistrate Judge in courtroom # 5A.

☐ The District Court Judge presiding in Part I.

☐ \_\_\_\_\_ at his/her earliest convenience.  
Judicial Officer

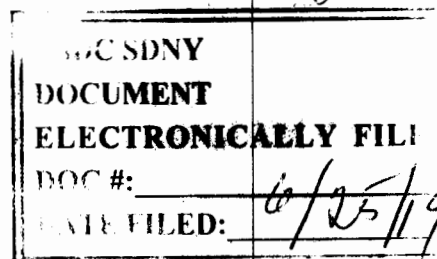
☐ A bench warrant shall be issued for the defendant's arrest

So ordered:

**Victor Marrero**

Date

*25 June 2019*





## MEMORANDUM

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**To:** Honorable Victor Marrero  
United States District Judge

**From:** Joshua Rothman  
United States Pretrial Services Officer  
Intensive Supervision Specialist

**Re:** Christian Figallo  
18 CR 684 (VM)

**Date:** June 21, 2019

This memorandum serves to provide the Court with an update as to the defendant's compliance while on Pretrial Services supervision and follows a memorandum dated February 22, 2019.

As noted in the previously memorandum, on February 19, 2019, the defendant entered an inpatient substance abuse treatment program, Discovery, located in Marlboro, New Jersey.

On March 11, 2019, Pretrial Services in the District of New Jersey advised that their officers had met with the defendant at the program due to erratic behavior the previous night, which included falling asleep in another resident's bed. A urinalysis conducted at the program following the incident was negative for all substances tested, and the defendant was transported to a local hospital due to his behavior. While at the hospital, the treatment program staff found a bottle of clear liquid hidden in the liner of the defendant's jacket. The defendant stated that the liquid was GHB and rationalized his behavior by saying he did not hurt anyone and only uses the drug to help him sleep. The defendant was permitted to stay at Discovery on a "zero contract" with psychiatric assessment. Furthermore, he was encouraged to seek a prescription for a legal substance to assist with sleep if necessary.

On May 17, 2019, the defendant was discharged from Discovery

On May 20, 2019, the defendant reported to Recovery Innovations, an outpatient treatment provider in Eatontown, New Jersey, as directed. A urinalysis submitted on that date later returned positive for GHB. The defendant failed to attend a session on May 21, 2019, but has otherwise been compliant with his treatment schedule.

On June 10, 2019, the defendant's urinalysis results were addressed by his treatment counselor and the defendant admitted to using GHB again as a sleep aid. The defendant was referred to a psychiatrist and scheduled for an appointment on June 24, 2019. A urinalysis submitted at the treatment program on that date proved positive for amphetamine. Pretrial Services is awaiting results for GHB, which is a specialized test.

On June 14, 2019, the defendant reported to Pretrial Services and tested negative for all substances tested. The sample has been sent to the national lab to test for GHB, and the results are awaited.

On June 18, 2019, the defendant did not attend his scheduled treatment session and indicated that he was feeling ill.

On June 19, 2019, the defendant was contacted by Pretrial Services to address the recent positive urinalyses. The defendant denied using any methamphetamine, Adderall or any other drug. He further noted that he had not used GHB in over a week. The defendant further explained that he was sexually active with someone, whom he believed to have been "clean", but later learned he had methamphetamine and GHB in his possession. It should be noted that the defendant also offered different explanations for missing his treatment program the previous day, first stating he was ill and then indicating he had transportation issues.

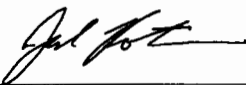
The defendant is scheduled to appear before Your Honor for a status conference on July 19, 2019 at 4:30pm.

An updated criminal record check revealed no additional arrests since the defendant's release on bail.


Pretrial Services respectfully requests that a bail violation hearing be held before Your Honor to address the defendant's continued noncompliance.

Respectfully Submitted,

Scott Kowal, Chief  
U.S. Pretrial Services Officer

 Joshua A. Rothman  
2019.06.21  
17:26:26 -04'00'  
Joshua Rothman  
U.S. Pretrial Services Officer

Reviewed by:

 Dennis Khilkevich  
2019.06.21 16:53:19  
-04'00'

Dennis Khilkevich  
Supervisory U.S. Pretrial Services Officer

cc: Nick Chiuchiolo, AUSA (via e-mail)  
David Cohen, defense counsel (via e-mail)  
Jennifer Powers, U.S. Pretrial Services Officer/D-NJ (via e-mail)